

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 4, and 6-21 are presently active. Claim 16 is amended to include the limitations of Claim 19, Claim 19 is canceled, and Claims 20 and 21 are added.

New Claims 20 and 21 find support in the specification as originally filed at page 9, lines 24-26, for example, which applies to the arrangement of lenses shown in Figure 5, as well as Figures 3A and 3B.

In the outstanding Office Action, Claims 1, 7, 9, 10, 13, and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kimura in view of Kazutomo; Claims 4, 6, 8, 14, and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kimura in view of Kazutomo and further in view of Lee; Claims 11 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kimura in view of Kazutomo in view of Lee and further in view of Hirobumi; and Claim 15 was rejected under 35 U.S.C. § 103(a) as unpatentable over Kimura in view of Kazutomo and further in view of Robb. Applicants respectfully traverse these rejections on the grounds that independent Claims 1 and 16 each define an invention which is neither anticipated by nor obvious over the applied references.

Claim 1 defines an image pick-up apparatus in which the "light region separating means [is] molded integrally with [a] lens mount as a single element." This integral construction, which is shown by way of example in Figure 5 of the present application, advantageously improves ease of assembly of a two-direction pick-up apparatus, such as that defined by Claim 1. (Specification at 11, lines 19-23.)

Turning first to the Kimura reference, Applicants note that Figure 5 of this reference fails to show a light region separating means molded integrally with the lens mount as a single element. This difference between the Kimura reference and the invention of Claim 1

does not appear to be disputed, as the outstanding Office Action notes that “Kimura does not explicitly disclose that the light region separating means ... is molded integrally with a lens mount ... as a single element.” (Office Action at 4). Accordingly, Kimura is not believed to anticipate or make obvious the invention of Claim 1.

With respect to the Kazutomo reference, the outstanding Office Action identifies the structure 41a as a light region separating means in Figure 3 of Kazutomo. However, Figure 3 of Kazutomo clearly shows that the element 41a is not “molded integrally with [the] lens mount as a single element,” as defined by Claim 1 of the present invention. Figure 3 of the Kazutomo reference shows that the lens blocks 42 and 44 and the lens presser feet 43 and 45 are the structure to which the lenses 11 and 12 are mounted. It is clear from drawing Figure 3 that these elements 42-45 are not molded integrally with the element 41a, rather they are separate elements that are inserted into the cabinet 41.¹ Therefore, Kazutomo, when considered alone or in combination with Kimura, fails to teach or suggest the Claim 1 limitation “a lens mount for holding said optical means and having said first and second image forming lenses mounted directly thereto, said light region separating means being molded integrally with said lens mount as a single element.”

¹ A machine translation of the Kazutomo reference, accessible via the Japanese Patent Office website, confirms that the element 41a is not molded integrally with elements 42-45:

[0032] A cabinet 41 consists of slit section 41a, 1st lens-barrel section 41b, and 2nd lens-barrel section 41c, and each part is united. The interior of the 1st and 2nd lens-barrel sections 41b and 41c has become cylindrical shape-like, and **** for inserting the 1st and 2nd lens blocks 42 and 44, and fitting in is formed. Moreover, **** for **** for inserting in the 1st and 2nd lens-barrel sections 41b and 41c to insert the 1st and 2nd lens presser feet 43 and 45 in an inside is formed outside at the 1st and 2nd lens blocks 42 and 44 of a cylindrical shape. Furthermore, **** is formed also in the external surface of the 1st and 2nd lens presser feet 43 and 45.

[0033] The 1st and 2nd lenses 11 and 12 are fixed by the 1st and 2nd lens presser feet 43 and 45 in the 1st and 2nd lens block 42 and 44, and the 1st and 2nd lens blocks 42 and 44 are thrust into the 1st and 2nd lens-barrel sections 41b and 41c, respectively, and are attached in a cabinet 41. In drawing 3, the configuration of the 1st and 2nd lens block is carried out, if it is **, but even if it completely inserts the 1st and 2nd lens block of the same configuration in the 1st and 2nd lens-barrel sections 41b and 41c, respectively, it is possible by changing the amount of insertion to make the focal distance from an image pick-up side to a lens into a different thing.

(http://www.ipdl.ncipi.go.jp/homepg_e.ipdl; asterisks in original.)

The remaining applied references, when considered alone or in proper combination with Kimura and/or Kazutomo, fail to account for the deficiencies of Kimura and Kazutomo noted above. Therefore, Applicants submit that independent Claim 1 and all claims dependent therefrom patentably distinguish over the applied references.

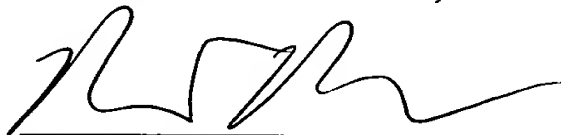
Attention is now directed to Claim 16 of the present application. Claim 16 is presently amended to include the limitation of canceled Claim 19, which was identified as containing allowable subject matter. Therefore, Applicants submit that independent Claim 16 and dependent Claim 17, which depends from Claim 16, patentably distinguish over the applied references.

New Claims 20 and 21 recite "wherein the first direction is substantially normal to the light-receiving surface, and the second direction is substantially parallel to the light-receiving surface." When Claims 20 and 21 are considered in combination with the claims from which they respectively depend, it can be appreciated that none of the applied references, when considered alone or in any proper combination, teach or suggest the invention of Claim 20 or 21.

In view of the foregoing discussion, no further issues are believed to be outstanding in the present application. Therefore, Applicants respectfully request the present application be allowed and be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870
Robert C. Mattson
Registration No. 42,850

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
I:\ATTY\RCM\PROSECUTION\209069US-AM.DOC